

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division

LAMONT D. F.¹,

Plaintiff,

v.

Civil No. 4:20cv11

ANDREW M. SAUL, Commissioner of
Social Security,

Defendant.

FINAL ORDER

Plaintiff brought this action pursuant to 42 U.S.C. §§ 405(g), 1383(c)(3), seeking judicial review of the Commissioner of the Social Security Administration that denied a claim for Supplemental Security Income under Title XVI of the Social Security Act. Pursuant to the provisions of 28 U.S.C. §§ 636(b)(1)(B) and (C), Rule 72(b) of the Federal Rules of Civil Procedure, Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia, and by order of reference (ECF No. 10), this matter was referred to a United States Magistrate Judge for a Report and Recommendation.

¹ The Court adopts the recommendation of the Committee on Court Administration and Case Management of the Judicial Conference of the United States directing that courts use the first name and last initial only of claimants in Social Security opinions. Comm. on Ct. Admin. & Case Mgmt. Jud. Conf. U.S., Privacy Concern Regarding Social Security and Immigration Opinions 3 (2018).

In a Report and Recommendation (“R&R”) filed January 27, 2021, the Magistrate Judge recommended GRANTING Plaintiff’s Motion for Summary Judgment (ECF No. 14), DENYING Defendant’s Motion for Summary Judgment (ECF No. 17), and VACATING AND REMANDING the underlying decision of the Commissioner. *See* R&R, ECF No. 25.

By copy of the R&R, each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge within fourteen days from the date the R&R was mailed, pursuant to Rule 6(a) of the Federal Rules of Civil Procedure. The time for filing written objections has passed, and neither party has filed objections. As indicated in the R&R, “failure to file timely objections to the findings and recommendations set forth [in the R&R] will result in waiver of right to appeal from a judgment of this Court based on such findings and recommendations.” *Id.* at 16.

This Court has reviewed the R&R. The Court hereby **ADOPTS** and **APPROVES** the unopposed findings and recommendations set forth in the R&R (ECF No. 25).

It is **ORDERED** that Plaintiff’s Motion for Summary Judgment (ECF No. 14) is **GRANTED**, as detailed in the R&R, and that the Commissioner’s Motion for Summary Judgment (ECF No. 17) is **DENIED**, as detailed in the R&R. Plaintiff’s related supplemental motion asserting a jury demand (ECF No. 20) is **DENIED AS MOOT**. **The final decision of the Commissioner is VACATED AND REMANDED for further consideration consistent with the analyses and findings of the Report and Recommendation (ECF No. 25).**

The Clerk is **REQUESTED** to please send a copy of this Final Order to the Plaintiff in this matter numbered Civil No. 4:20cv11, and to counsel for the Government.

IT IS SO ORDERED.

March 30, 2021
Norfolk, Virginia

/s/
Arenda L. Wright Allen
United States District Judge